

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JESSIE TOMPKINS, SR.,)
v.)
Plaintiff,)
JUDGE JOHN JONES, et al.,)
Defendants.)
CIVIL ACTION NO. 2:06CV325-WKW

ORDER

Upon consideration of the Motion to Dismiss, filed on 23 May 2006 by defendant Julianna Taylor (Doc. # 34), and for good cause, it is

ORDERED that on or before 26 June 2006, the plaintiff shall show cause in writing why the motion should not be granted on the grounds alleged.

Thereafter, the motion to dismiss will be deemed submitted on the motion, the pleadings, the response, and the record in this case. The plaintiff is ADVISED that, at this stage of the litigation, the court's task is to determine whether, as a matter of law, he should be permitted to proceed against Julianna Taylor, and he is DIRECTED to limit his response to this defendant. Thus, the court will not consider or evaluate evidence, nor will the court make credibility findings in case of factual disputes.

The plaintiff is also ADVISED that his failure to respond to the court's order would lead to a Recommendation that his complaint be DISMISSED.

DONE this 26th day of May, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE